

TESTIFY LOMAX  
WOMAN HAD A  
FINE CHARACTERFive Citizens Who Know  
Her Intimately to Give  
Affidavits.CALL HER HONEST  
AND HARD WORKERBelieve She Committed Murder In  
Moment of Uncontrollable  
Anger.

Five citizens of Washington who knew Mattie E. Lomax well before her trouble, which ended in the murder of her husband and the imposition of the death penalty on her, came forward today as character witnesses for the condemned woman.

They are members of a family of neighbors for whom she worked at different times, and who had ample opportunity to study her character and habits during the four years they lived next door to her. They are emphatic in declaring her a woman of good character and habits, trustworthy, and a hard worker, who, they believe, committed murder in a moment of uncontrollable anger.

## Mass Meetings Called.

These witnesses have volunteered their services to the Lomax attorneys, who will obtain their affidavits for presentation to the President.

This development, the calling of three mass meetings in colored churches, and the continued interest of the public as evidenced by letters to The Times, constitute the new features of the Lomax case today.

Attorneys Samuel D. Truitt and John Ridout are still at work on their brief, which will be filed with their appeal, and expect to be ready to present the case to President Taft in a few days.

Long-Time Neighbors  
Of Condemned Woman  
Testify to Character

Evidence that Mattie E. Lomax, who has been condemned to die July 31 for the murder of her husband, was a steady, reliable, trustworthy, temperate, hard-working, and honest woman of good habits up to the hour when she killed the man to whom she was wedded, is offered today by members of a family that lived in the house adjoining hers for four years.

George W. Billings, a clerk in the General Land Office, today came forward as a character witness for the condemned woman. He is joined in his statement concerning Mattie Lomax by his wife and mother, Mrs. Harriett Billings, and his wife who lives with the Billings at 212 G street northwest.

"We knew Mattie well for four years," said Mr. Billings to a representative of The Times today, "and we are convinced that she killed her husband in a moment of uncontrollable anger, provoked by something he did. Mattie was a good girl, and we are sure she would never have done deliberate murder. We knew her too well. She often worked for my wife and mother, who found her steady, scrupulously honest and in every respect a person of good character."

## Affidavits for President.

Mr. Billings' interest in the case has been aroused by publication of articles concerning it in The Times. Today he decided to see if he could do anything to help in the movement to bring about commutation of the woman's sentence. He communicated with The Times and the Lomax attorneys, and as a result he and his wife, his mother, Mrs. Harriett Billings, and Mr. and Mrs. George Lobestack, who live at the Billings home, have been requested to make affidavits as to the character and conduct of the prisoner for presentation to President Taft with the brief and arguments in the appeal for commutation of sentence.

"We were very much surprised when we heard of the murder," returned Mr. Billings, "and we were more surprised when we learned that Mattie had been condemned to death. We feel certain that her case could not have received the most careful consideration by the court and the jury, for Mattie wasn't the kind of a woman to commit a crime for which she would be hanged."

## Husband Abused Her.

"Mattie and her husband lived next door to us, at 214, for four years. He drove a milk wagon at that time, and so far as we ever knew they never had any trouble."

## WEATHER REPORT.

FORECAST FOR THE DISTRICT.  
Fair tonight and Friday; warmer Friday.

TEMPERATURES		AFFLECK'S.	
8 a. m.	61	8 a. m.	63
9 a. m.	62	9 a. m.	64
10 a. m.	63	10 a. m.	65
11 a. m.	64	11 a. m.	66
12 noon	64	12 noon	66
1 p. m.	65	1 p. m.	67
2 p. m.	66	2 p. m.	68

TIDE TABLE.  
Today—High tide, 5:36 a. m. and 6:30 p. m. Low tide, 12:23 a. m. and 1:07 p. m.  
Tomorrow—High tide, 6:22 a. m. and 7:06 p. m. Low tide, 12:36 a. m. and 1:07 p. m.SUN TABLE.  
Sun rises..... 4:30 | Sun sets..... 7:26Bridge Lift Holds Steamer  
Under Water

CHICAGO, June 8.—The lake steamer J. S. Keith was sunk for three minutes this morning when the lift of the bridge over the South Branch of the Chicago river at Halstead street, fell, forcing the vessel under water.

The spars and deck houses of the boat were crushed like egg shells. Several sailors and officers on board the vessel were injured. The vessel stayed under water until the cabin fell in.

BARNARD DECIDES  
FOR ORAL APPEALS  
IN POLICE TRIALS

Justice Rules "Star Chamber" Sessions Must Cease.

Star chamber sessions and private consideration by the District Commissioners of appeals of police from decisions of trial boards must be stopped, according to a decision today by Justice Barnard, of the District Supreme Court.

Declaring that trials of police before trial boards are not courts-martial, but quasi-judicial proceedings, Justice Barnard ruled that the Commissioners cannot deny oral hearings upon appeal from the rulings of such trial boards.

Justice Barnard granted a writ of mandamus against the Commissioners in favor of Patrolman Joseph L. Gillett, of the Eleventh precinct, ordering the Commissioners to grant him an oral hearing, with the services of an attorney, in his appeal from a decision of the police trial board, ordering his dismissal for alleged insubordination.

## To Test Ruling.

Test of Justice Barnard's ruling will be made in the District Court of Appeals. Corporation Counsel Thomas today noted an appeal to the higher court before Justice Barnard.

According to Justice Barnard's decision the practice of the Commissioners in considering appeals of patrolmen from findings of the trial board in executive sessions, with only the written record of the trial board and briefs before them, must cease.

Under the act of the Congress of 1906, Justice Barnard holds that the Commissioners have no authority to deny oral hearings. He says the appellant may elect, at his option, whether to submit his case in writing and by briefs of his attorneys before the Commissioners, or have an oral hearing, with witnesses. He also holds that police have the privilege of being represented by attorneys in such oral arguments.

The procedure of the Commissioners is revolutionized by the decision. Attorney Wilton J. Lambert and Rudolph G. Yeastman represented Gillett in the suit, winning every point against the Commissioners.

Gillett filed his mandamus suit February 27 when the Commissioners refused him an oral hearing on his conviction for alleged insubordination. He was sentenced to dismissal for three months, pending appeal.

Gillett demanded an oral hearing upon his appeal, which the Commissioners denied.

## Like a Court.

Justice Barnard said the trial board was analogous to a court, and the Commissioners to a court of appeals.

Many Washington policemen are affected by the decision. Patrolman Howard C. Russell, of the Seventh precinct, now under sentence of dismissal by a trial board, has a case similar to that of Gillett pending before the Commissioners. He also is represented by Attorney Lambert.

Russell asked the Attorney General to demand an oral hearing upon his appeal, which the Commissioners denied.

Attorney Lambert then answered the Commissioners by suggesting that it would be courteous and possibly policy to reserve a decision until the Gillett case, then pending, was decided by the courts. No reply to this letter has been made by the Commissioners.

Difficulty in having oral hearings as of their main duties has been the excuse offered by the Commissioners for denying such hearings.

SENATORS AGREE ON  
RECIPROCITY REPORT

Committee to Send Bill, As Amended  
by Root, to Senate Without  
Recommendation.

The Senate Finance Committee today agreed to report the Canadian reciprocity bill, including the Root amendment, without recommendations of any kind. Senator Penrose is expected to bring the matter before the Senate Tuesday.

The acceptance of the Root amendment, which President Taft has strenuously opposed throughout his fight for the measure, was by a vote of 8 to 6. This amendment provides that the pulp wood and print paper clause shall become effective when all the provinces of Canada shall agree to the free exportation of those products. The agreement, as drafted, provided for immediate reciprocity with such provinces as now permit exportation.

Friends of the reciprocity bill declare that the Root amendment, if adopted, would effectively block the operation of the pulp and paper clause because, they assert, the Province of Quebec, in all probability, would never agree to the unrestricted exportation of pulp wood.

A number of minority reports will be made. Senators McCumber and La Follette each will have a report to make. Senators Stone, Kern, and Williams may unite in a report for the bill.

VOLCANOES NEAR  
MEXICO CAPITAL  
ARE IN ERUPTIONPopocatepetl Smoking and  
Colima Is Throwing Off  
Hot Lava.TROOPS FINE SCORES  
IN DEBRIS OF QUAKEPolice Estimate Number of Dead  
At 200—Small Property  
Loss.

MEXICO CITY, June 8.—Popocatepetl, the semi-active volcano west of Puebla, is smoking today, giving indications of a violent eruption, and Colima, an active volcano, is throwing out constant volumes of molten sand, red-hot rocks and ashes. These phenomena are believed to be the result of yesterday's earthquake.

Three thousand troops are today clearing away the debris of the earthquake of yesterday morning and slowly uncovering the dead.

## Death Roll Grows.

The complete death roll will not be known for several days, but according to the latest police estimate 185 persons lost their lives. Many of those believed to be dead are recorded as "missing," and may be found later to have been among those who fled from the city when the first shock was felt.

Until this morning the search for the dead was confined to the main city, but when the work was extended to the outlying suburbs it was found that many had been crushed to death by the collapse of the adobe and brick houses.

From midnight on rescuing parties reported at the general hospital with injured victims until seventy-three were being cared for. Many others are being cared for at the homes of friends.

The heaviest loss of life, as stated in the first advice sent out, was among the soldiers in the old barracks. Ninety all of those asleep in the building were crushed to death, wives of noncommissioned officers dying with their husbands. That the fatalities were not much heavier there was due to the fact that the barracks were built on a hill and the earthquake waves did not reach them.

Soldiers Arrested.  
Twenty-two of them returned to the ruined barracks shortly after midnight, in such a condition as to be arrested.

Though the earthquake was the heaviest recorded since the Acapulco disaster of two years ago, the damage was insignificant as compared with the actual loss of life. This was due to the fact that the first and heaviest shock was of only fifteen seconds' duration. Though many of the large buildings, it did not last long enough to shatter them. The main effects were felt on the small buildings that went to pieces in a moment.

It is believed that \$100,000 will cover the property damage in this city. What damage in the towns to the southward is as yet unknown, for it has been impossible to restore communication.

Terrific Shock In  
Caspian Sea Recorded  
By Berlin Instrument

POTSDAM, Germany, June 8.—A terrific earthquake shock, supposed to have occurred in the neighborhood of the Caspian Sea, was registered by the seismograph of the observatory here at 1:34 a. m. today.

Bill Offered In Senate  
For Tariff Commission

Representative Martin Littleton of New York today introduced a bill creating a tariff commission of five, to be appointed by the President, by and with the advice and consent of the Senate.

The important feature of the bill is that the commission shall be subject to the call of Congress. It is to be bipartisan, fitness for the work being the only needed qualification.

"I, as a Democrat, have introduced this bill with no partisan spirit or purpose," said Mr. Littleton today. "I believe there should be an effective permanent agency to furnish reliable and impartial information to Congress on all subjects connected with the tariff. This body would supply technical and statistical facts concerning articles which are or may be subject to import duties, primarily to the Ways and Means Committee of the House, and then to the Finance Committee of the Senate, and then the House of Representatives, as is its constitutional privilege, shall have its own committee on tariff matters. Such a body is needed to clear up the confusion in the Senate and Mr. Lenroot, Mr. Longworth and Mr. Payne in the House."

Mexico Asks to Send  
Troops Through Texas

The State Department today took under consideration a request received from Mexico asking permission to send Mexican troops from Juarez to Lower California through United States territory, in an attempt to suppress the bandits in that section.

It is suggested that the Mexican soldiers be disarmed and transported by train under guard of United States soldiers as long as they are on this side of the border. Their arms, according to this plan, will be sent separately.

Impressed by Letters.  
The veil of mystery that has puzzled the neighbors for several years and kept them in doubt as to the peculiar actions of the inhabitants of the Murdock farm, is being torn aside. The police are most impressed with letters found in the house, indicating that the woman corresponded with men in all parts of the country. Several men intimidated in that section.

(Continued on Seventh Page.)

## Girl Wife of Youth Poisoned by Gas

MRS. ROBERT A. MARMION, JR.  
Washington Girl Who Figured in Elopement to Rockville With Son of Late Rear Admiral.MRS. MURDOCK SAYS  
MERKLE MURDERED  
HARDING WITH AN AXR. A. MARMION, BOY  
HUSBAND, RECOVERS  
FROM GAS EFFECTSWoman In Norfolk Case  
Breaks Down and Makes  
Startling Confession.Found Stricken In Room  
After Wife Went Out.  
Accident, Says Mother.

NORFOLK, Va., June 8.—In her cell at the county jail, Mrs. Minnie L. Murdock, the red-headed woman of Masons Creek, weakened at 1 o'clock this morning and told the sordid story of the death of Harry L. Harding, her discarded lover. Her story was to the effect that Charles Merkle struck Harding with an ax as he lay on a bed. She says she found the bloody head of the dying boy beside her on the pillow. Panic-stricken, she and Merkle kicked the body under the bed, and it lay there until they gained the courage to bury it in its shallow grave twenty-four hours later.

The confession was in the presence of County Officer John Hayes, Mrs. Belle Ryan, of the Woman's Mission, and two newspaper men. There was sincerity in her voice, and none of those who heard the tale doubted that she had decided to tell it as it happened.

## Promises to Tell Truth.

"I shall tell the truth, so help me God," the woman said, as she propped herself in a cot in her cell.

"Harry Harding and I have been having trouble for months, and I took up with Charlie Merkle, because Harry would do nothing for me."

"We continued in this relationship for some time, but finally things were reversed and the old order restored. When Harding had been jealous, it was now Merkle, and I was in constant dread."

"Finally, the end came. I awoke to find the pillow saturated with blood, Harry's bleeding head upon it and Merkle standing in the room with the bloody ax in his hand."

## Says She Was Horrified.

"I was horrified and screamed, but no one was near to hear me," and Merkle made me keep quiet. He was scared, too. Finally, we took the body—I don't think he was dead yet—and put it under the bed. Then we sat down and waited. Both of us were trembling and we did not have strength enough to do anything."

"Finally we began to recover ourselves and we had to decide what to do with the body. The garden was the first thing to come into our minds, and Merkle went out and scooped out a hole in the garden and the onion patch. We carried the body out and buried it."

Determined to clear up the mystery surrounding this alleged "murder farm" case, the authorities today decided to conduct excavations such as marked the astounding revelations of the Guinness farm at La Porte, Ind.

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(Continued on Seventh Page.)

GARY OPPOSED TO  
STEEL MONOPOLY,  
FAVORS PUBLICITY

Head of Corporation Tells Probers He Approves Reasonable, Steady Prices, Fair Wages, and Pension System.

EMPHATICALLY DENIES ANY  
SUBSIDIARIES GET REBATES

Declaring that the United States Steel Corporation was opposed, as a business proposition, to securing a monopoly on the steel business, and saying that the corporation believed in publicity of the transactions of all large business concerns, Judge E. H. Gary, executive head of the Steel Corporation, resumed his testimony before the House steel investigating committee today.

Although Judge Gary has been on the stand for four days the committee has not completed its examination of the steel magnate, and he will again take the stand this afternoon, following the noon recess.

One of the most important questions asked Judge Gary during the rather dull hearing today, came just before the committee took recess.

"Is it true, Judge Gary," asked Representative Young, "that any of the subsidiary companies of the Steel Corporation accept rebates from railroads?"

"I emphatically answer that in the negative," Judge Gary replied. "In 1905 I sent a letter to the president of every important railroad in the country, and to the officers of the steel companies under the control of the United States Steel Corporation, in which I said in substance, 'Under no circumstances will an official of this corporation be allowed to accept a rebate in any form from a railroad company.'"

STATES CORPORATION'S "REAL POLICY."

Judge Gary asked the privilege of making a statement as to the real policy of the United States Steel Corporation. He was allowed to do so and told the committee that the gigantic concern, of which he is the head, believed in the following things:

Publicity, reasonable prices on steel, and steady prices instead of a fluctuating market; no monopoly; fair wages to employees, of which the corporation has 35,000, and a stock benefit and pension system for these employees.

## Gary Resumes Testimony.

Resuming his testimony today, Judge Gary proceeded with the story, interrupted by the adjournment yesterday, relating to the competition existing between various steel companies before the formation of the United States Steel Corporation in 1901.

"The principal competition," he said, "was between the Illinois Steel Company and the Carnegie Steel Company. There was substantial competition between these two in 1901."

Judge Gary said that no competition as to products existed among a number of other companies that were merged. He named these as being the American Steel and Wire Company, the National Tube Company, the American Tin Plate Company, the American Sheet Steel Company, the American Bridge Company, and the Lake Superior Consolidated Iron Mines.

Reverting to the competition between the Illinois and Carnegie companies, Judge Gary said:

"I do not criticize the management of the Illinois company, but personally I am convinced that it would have finally been driven out of business by the Carnegie company."

Judge Gary then presented a comprehensive table of figures to show the total production of the United States Steel Company as compared with the entire output of the country.

At the time of organization, he said, the United States Steel averaged about 60 per cent of the production. "At the present time the domestic business of the United States Steel subsidiaries is 50 per cent, or below, of the whole. A little more than 10 per cent of our trade is export."

"There were requests from numerous subsidiary companies to increase our capacity. The finance committee thought that the public would criticize a larger production on our part, and we discouraged an increased output."

"We have been in a position, from the beginning, to publish facts and figures in regard to large business corporations is the most important of any thing that can be suggested to secure and maintain fair conduct of business. We regard that as essential."

"Next, there has been a disposition on our part to keep away from any possible monopoly in any line of business, and to attempt to exercise any monopoly. While we have sometimes been criticized by stockholders for not increasing our output, along with some other companies, we have adhered to our policy. We have, in addition, (Continued on Seventh Page.)

TAFT IN BROOKLYN,  
SEES BIG PARADEPresident Reviews Two Hundred  
Thousand Sunday School  
Children.

President Taft left Washington shortly after 8 o'clock this morning for Brooklyn. He was the guest of the United Sunday Schools of that city, for the day, and will be entertained by the Cotton Seed Crushers Association tonight.

The President had an early breakfast, and drove hurriedly to the Union Station where his car, the Ideal, was attached to one of the fast trains on the Pennsylvania Railroad.

This was a busy day for the Executive. He reviewed a parade of 20,000 Sunday school children from more than a half dozen different viewpoints, and made a quick tour of the city to keep a number of minor engagements.

After speaking before the Cotton Seed Crushers tonight, the President will leave for Washington. He expects to reach this city in time for breakfast tomorrow morning.

(Continued on Seventh Page.)

## IN CONGRESS TODAY

## SENATE.

Finance Committee ordered a report without recommendation on the reciprocity bill to be made next Tuesday. Root amendment to reciprocity measure adopted.

Manufactures Committee had hearing on cold storage. Senate met at 2 o'clock. Senate may investigate charges as to Stephenson election.

## HOUSE.

Debate on the wool bill was resumed in the House. Representative Mann speaking in opposition to the measure. Judge Elbert H. Gary again testified before the Steel Investigating Committee.

The committee appointed to investigate the Sugar trust held an executive meeting to arrange details of its investigation, which will begin this week.

The Committee on Expenditures in the Department of Commerce and Labor continued its hearing of the abuse of the seal killing privileges on the Alaskan islands.

Representative Berger introduced a resolution to authorize the District Committee to use the discarded automobile belonging to Speaker of the House.